



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor
Kathleen Clarke
Executive Director
Lowell P. Braxton
Division Director

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Salt Lake City, Utah 84114-5801
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801-538-7223 (TDD)

January 15, 1999

Mr. and Mrs. Lynn Fowers
Fowers Fruit Ranch LLC
215 South 800 East
Genola, Utah 84655

Re: Response to Public Protest of Tentative Approval Decision, Valley Asphalt, Inc., Ekins East Project, M/049/032, Utah County, Utah

Dear Mr. and Mrs. Fowers:

On December 30, 1998 the Division of Oil, Gas and Mining (DOGM) received your protest letter to our tentative approval decision of the permit application filed by Valley Asphalt, Inc. for their Ekins East Limestone Project located in Utah County, Utah. After reviewing the protest letters filed as attachments to your cover letter, we have decided to hold an informal hearing before the Division Director, Lowell P. Braxton, at the Genola Town Hall to take comments on the proposed permitting action.

We have scheduled the informal hearing for January 28, 1999 at 7:00 PM in the Genola Town Hall which is located at 74 West, 800 South, Genola, Utah. The following format is anticipated for the informal hearing:

Beginning at 7:00 PM

1. Initial introductions of DOGM staff, other governmental agency representatives, company representatives, etc.
2. An explanation of the informal hearing process by the Division Director.
3. A brief overview by Valley Asphalt Inc. of their Ekins East mining proposal as outlined under DOGM's permit application.
4. A general overview of DOGM's large mine permitting process, presented by Division staff.
5. An opportunity for public comment, on the record, regarding identified permitting deficiencies with Valley Asphalt's application and/or areas where the Division has failed to process the permit application in accordance with the requirements of the Utah Mined Land Reclamation Act and the implementing Minerals rules.

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Mr. & Mrs. Lynn Fowers

M/049/032

January 15, 1999

We anticipate the informal hearing process will take approximately two (2) hours, 7:00 - 9:00 PM. We thank you for your interest and look forward to meeting you in Genola on January 28, 1999. If you have questions or require additional information regarding the scheduled hearing, please contact me at (801) 538-5286, Vicky Bailey, 538-5304, or Lynn Kunzler, 538-5310.

Sincerely,



D. Wayne Hedberg
Permit Supervisor
Minerals Reclamation Program

jb

cc:

W. Neil Brown, Mayor *74W 800S. Genola Ut 84655-*
Brent Sumsion, Valley Asphalt, Inc.
Arjun Ram, Western Aggregates
Marv Maxwell, Division of Air Quality
Alan Mecham, UDOT, Region 3 *825 N 900W Drem Ut 84057*
Ann Jensen
Protestors (names attached)
Buck Rose, Utah County Planning & Zoning Commission
Utah County Board of Adjustments

M49-32.hrg

Division letter dated January 15, 1999 sent to the following:
Protestors of Valley Asphalt, Inc.'s Ekins East Proposed Large Mining Project

Lynn & Sherryl Fowers - 215 S. 800 E., Genola, UT 84655
Ann Jensen - 490 S. 690 E., Santaquin, UT 84655
Dan & Kaye Mindar - 349 E. 800 S., Genola, UT 84655
Delores Fowers - 14792 S. 5200 W., Santaquin, UT 84655
Barbara N. Davis - 366 S. 800 E., Genola, UT 84655
Melvin Beachler - 996 E. 200 S., Genola, UT 84655
Beverly Kraut - 1067 E. Cumorah Dr., Genola, UT 84655
Jerry Fowers - 215 S. 800 E., Genola, UT 84655
Beverly Madsen - 1175 S. 400 W., Genola, UT 84655
Richard & Renee Davis - 650 E. 200 S., Genola, UT 84655
Gary D. Dutson - Utah Beekeepers Assn. *3933 W 4500 S Delta UT 84629*
Alan Riley - 450 Apple Lane, Payson, UT 84651
Lloyd L. Nelson - 1060 S. State St., Genola, UT 84655
David C. White - Muir - Roberts Co, Inc. P.O. Box 96, Payson, UT 84651
Dr. Earl J. Seeley - EJS Services, RR 1 Box 245-G, Fairview, UT 84629
William McMullin - 740 E. Hwy 6, Genola, UT 84655

jb
Protests